

A Regular meeting of the Board of Selectmen was held on Tuesday, September 10, 2013 beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. The following members were present:

Mark Gallivan, Chairman
Michael Berry, Vice Chairman
Nancy Mackenzie, Clerk
Christopher Timson
Clifton Snuffer, Jr.

Also present:
Michael Boynton, Town Administrator
Cindy Berube, Executive Assistant

Mr. Gallivan called the meeting to order followed by the Pledge of Allegiance at 7:05 p.m.

ANNOUNCEMENTS AND PROCLAMATIONS

Mr. Snuffer noted that tomorrow is 12th anniversary of 2011. Ask for a moment of silence in memory of those that perished on that day.

SPONSORED AGENDA ITEMS

Chief Bailey appeared before the Board for his quarterly update. The call volume 1,998 most of which are emergency calls. Fire prevention's has been very active. They have been doing their pre planned inspections they do about two a month. There is a different group every other year. They have raised \$639,781 ambulance fees. About \$30,000 above last year, about the QA/QI we have started. Roundtable issues discussion. Next class is next week two hour class and that is documentation. Started coming in and talking to staff on a one on one basis. I would like to bring the director of the program in. The new employees have past all their pre employment. March 3, 2014 is when they will start the academy. I have another vacancy from a Firefighter who left the department.

Capital-two Luca CPR machines, trained, and are in service. Striker power stretcher, that came in and has been serviced. The new engine, we invited vendors in June, we spent an hour with each, and that has gone out to bid, opened this Thursday. Engine 6 had a major accident has come back today. It may or may not go back into service. I do have enough apparatus to run.

Open house is October 19th 10-2. The AFG grant for alert system, for \$129,000 the company has come in and about 60% done and should be done by October1. The safety

program should be done in the next few weeks. New Senior Safe fire program and we will apply for it. Assist elderly with fire safety information.

EMS recertification class. One of the last refreshers that we will have. Injuries, one long term injury.

The old system we took down, fire alarm boxes, all that equipment sitting. That is all surplus and he is asking the Board to approve it surplus.

MOTION moved by Mrs. Mackenzie to approve the items discussed by the Chief surplus, seconded by Mr. Snuffer, VOTED 4-0-0

Mr. Snuffer asked if any of them are collectible items. The Chief is not sure. Mr. Snuffer talked about the changes to EMS. The number of calls that are made on Emergency service. He referenced an article in the Beacon, "State begins overhaul of EMS standards". These changes they are speaking of could cost local governments. If they change, question I have, are they asking your opinions, or are they just changing it. Chief Bailey has not heard anything about those changes. Mr. Snuffer noted the Firefighter is changing, the "Five Alarm Question". They have become all purpose emergency providers. The shift that is taking place, you are getting two major services provided. The Fire Department of the future, what does it look like? They see you don't necessarily need to think 24 hour shifts anymore. Your building may be different than you current thinking. Thinks Chief Bailey should take the lead on discussions.

Mr. Gallivan is glad to see the safe program for the elderly. Will be interested in the QA/QI program and how it is allowing the town to do a better job. Mrs. Mackenzie noted that every call will have a physician guided. Having the station centrally located makes a difference. In order to have better outcomes need to have quicker response times.

Mr. Timson arrived at 7:20 p.m.

Chief Bailey was pleased to tell the Board this is the first year we came in on budget with overtime.

9-4 Conservation Commission, Resignation

MOTION moved by Mr. Berry to accept Sean Sparks resignation, seconded by Mrs. Mackenzie, VOTED 5-0-0

9-5 Emidio DiVigilio, Seeking appointment on Conservation

Mr. Berry pointed out that the resignation of Sean and this letter were received on the same day. Hewould want to see more transparency. Advertise until the next meeting.

9-2 NStar Hearing, Industrial Road

MOTION moved by Mrs. Mackenzie to open the hearing for the Grant of Location request from NStar for Industrial Road, seconded by Mr. Berry, VOTED 5-0-0

Christine Cosby from Nstar was present to explain the request. This will provide service to 100 Industrial Road. No questions from the audience.

MOTION moved by Mrs. Mackenzie to close the hearing, seconded by Mr. Berry VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the grant of location request from NSTAR to install two poles and anchor guy at Industrial Road, seconded by Mr. Snuffer VOTED 5-0-0

Gift Acceptance

9-6 and 9-7

MOTION moved by Mrs. Mackenzie to accept the gifts for the Council on Aging with thanks, seconded by Mr. Snuffer, VOTED 5-0-0

9-8 Cultural Council Appointment

MOTION moved by Mrs. Mackenzie to appoint Jennifer McGrath to the Cultural Council, seconded by Mr. Berry, VOTED 5-0-0

9-13 Insurance Advisory Committee

MOTION moved by Mr. Berry to re-appoint Steven Fitzgerald to the Insurance Advisory Committee, seconded by Mr. Snuffer VOTED 5-0-0

Mr. Snuffer spoke of the charge of the Insurance Advisory Committee, they should look at mission statements, research, insurance providers, Communicate options to employees, recommend to management.

9-10 Ethics Exemption Requests

The Board received the annual letter from the Personnel Board regarding employees that work less than 500 hours a year and may work more than one position.

MOTION moved by Mrs. Mackenzie to approve the Ethics exemption list, seconded by Mr. Berry

Discussion:

Mr. Snuffer noted it talks about posted positions for less than 500 hours a year. He is uncomfortable in the 500 hours. Mr. Boynton noted the state ethics law you can not serve two masters in one organization. These are people that work a nominal amount of hours and serve more than one dept in town. We have people that offer Recreation program but also a substitute teacher. If you look at the positions, most of them have involvement in the Recreation dept. The 500 hours is statute. Mr. Berry, so they collect a paycheck from two departments.

VOTED 4-0-1 (Mr. Gallivan abstained)

9-11 Bid Award, 2013-06

MOTION moved by Mr. Berry to award bid contract 2014-06 to HD Supply Water Works, Dedham, MA, seconded by Mr. Timson, VOTED 5-0-0

Turners Pond Dam

Concern of the State and town is the growth of trees is eroding the structure, what is before us is a \$360,000 solution. Complete further stabilization of the down stream. To make dam safe and avoid penalties. Peter Barrill from GZA is the Town's consultant.

Ms. Walker explained Turners Pond Dam earthen dam that whole length of mill pond rd. That roadway is the earth and dam.

Peter Barill explained over the past years did inspections at Turners Pond. Rated poor condition because of trees. What Maggie has asked us to do is budgetary, based on our best understanding. We are using unit costs. There are three portions of the work. The first estimate of \$348,000 construction, producing final drawings, bidding, some engineering services during construction. To insure the specifications are met. That cost is about \$28,000. He explained if it were not repaired structurally it would continue to deteriorate. The spillway was repaired 1996. He is not saying the dam will fail but deteriorate. If the dam fails there could be water released resulting in property and wildlife damage and no pond.

Mr. Snuffer sat in on the meeting. His son is Vice chair on the Ponds Committee. Mill pond road is the dam. He has reviewed the costs outlined in the document and noted where it talks about the contingencies. Why would we need a \$8,0000 contingency charge, bothers him. When put it together, understanding the need, subjected to fines, damage to homes, loss of road, still have to come up with a reasonable judgment. I do not know how we get it out, if you go to town meeting. How do we get to a debate? I am in favor but not at the cost stated. There was talk about using the lodge as the work site which could save money.

Mr. Boynton stated that aside from the trailers and maybe using the lodge, he is not concerned about the contingencies as they will not be used unless necessary. What you have is a professional who is making a recommendation to you, a series of professionals who will oversee it. You can do whatever you like I believe this is a \$360,000 project, given the uncertainty of the dam. It makes sense to use the lodge as a work site, some level of savings.

Mr. Gallivan agreed it is a good estimate and appreciates when they put in the contingencies. We sort of know what are worse case scenario is.

Mr. Berry spoke of the worse case scenario could be a public safety hazard, and he would think pond management committee, would prioritize something that is a necessity. This sounds like something we need to address sooner rather than later. Police detail, might that be higher than anticipated. Need to determine how critical issue this is. That will help determine the revenue needed.

Ms. Walker has worked with GZA and they have done all are inspections for the last ten years. Mr. Barrill noted these are just estimates. We are suggesting a number that may cover this.

It was suggested we can write may use the Turners Lodge in the specifications for the bid. It was explained that some of the contingencies do not cover just the trailer it is mobilization. When they all bid, you will have some that will bid lower. We try to use myself and staff for some of the inspections. One of the large sums is \$30,000 for a porter dam. MW all the boards do is lower the water level. The porter dam you put boards around the area you are working. Dry area to get in to work We may get to a point where the DEP or Army Corps of Engineers may not let you lower it anymore. The state agencies are involved.

Dan Ryan explained the Ponds Committee did not think we should vote on this, we do not have a final say on how this goes anyway. We do not understand the need for police detail. The porter dam, that would have to be discussed once the water level is down. Depending on when the job takes place, tree work, why can't the town cut the trees down and have them take out the stumps. Loaming and seeding cost was high. Spillway evaluation, I should assume the state has looked at this. Ms. Walker explained they do inspections every 6 months. They have looked at it but have not done inspections. They inspect the dam and tell us its condition, but do not tell us what to do. They are fine with the crew using the lodge as long as it is not during skating.

Mr. Boynton noted if there will be a savings to the town, than it will come back. We are under an order from the state to do this. We go forward for a request for funding on FTM. You can take 10,000 off, once we get funding at town meeting. No impact to skating, once we get into dry season, ready to go for full project, if we do not have sufficient funding, it will delay it.

MOTION moved by Mrs. Mackenzie to move this forward at the conceptual cost estimate and take it to the next step, seconded by Mr. Berry VOTED 4-0-1 (Mr. Snuffer abstained)

Open Forum- No one present

Library Trustee Appointment

Helen Howard, David Wildnauer, Helen Connor and E. Hunt Bergen library trustees were present

MOTION moved by Helen Connor to open the meeting of the Library Trustees seconded by David Wilnauer, VOTED 4-0-0

You have two candidates for the position. The Charter requires that you convene and by ballot select a new member to the library. Ask each candidate come and introduce themselves.

Richard Grant born in E. Walpole, attended Walpole schools, talked about his education. Worked in Corning Glass and then for Raytheon, Helix technology and Perception technology. He is a CFO for a new company. Taught courses at Bentley. I went from a technical background to financial. Being raised introduced to Jack London spent a lot of time in the library, that is why I got interested in reading books. He left Walpole for 30 years and came back. His background in strategic planning, could help with the long range planning. He is at the Library there everyday. It is a beautiful buildings and has met some other people, I do a fair amount of taxes and help seniors thru the tax code. He can work on the financial side, strategic mission, vision, goals. He explained he had tried to get on the ballot, but was told he was registered in Chatham and needed to take care of that situation.

No questions from Library Trustees.

Robert Damish ran for this 1 ½ years ago but did not run this past spring. His job has changed and feels he can meet the requirements. He worked in financial services for 14 years. He voted for the override twice. Is in favor of extended hours. In terms of my daily job, I like to liaison. He is a RTM and has spoken in front of T. Mtg. He can be the voice of the library. He would focus on additional hours.

David Wildnauer-Chair of the trustees, I will not speak for the Board. We have two great candidates, both well known to us. This is Debbie Burke's seat. There will be two seats open come June. Chairman Gallivan handed out the ballot to the Selectmen and Library Trustees. Nancy Mackenzie, Clerk counted the ballots and announced the winner. The winner is Robert Damish.

MOTION moved by Mrs. Mackenzie to ratify the vote taken by both committees to the appointment of Robert Damish to fill the unfilled term to Library Board of Trustees until the next annual election in June 2014, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mr. Wildnauer to ratify the ballot for Robert Damish of the joint meeting to fill the unfilled term to the Library Board of Trustees, seconded by Helen Connor, VOTED 4-0-0

MOTION moved by Mr. Berry to accept the resignation of Debbie Burke, seconded by Mrs. Mackenzie, VOTED 5-0-0

9-14 A-Frame, Hopes 4 Tomorrow

There were only a few days available to hang the banner when this request came in as it is a busy time of the year. That is why the applicant is asking permission to place an A-Frame.

MOTION moved by Mrs. Mackenzie to approve the request to place an A-Frame on the Common from October 19-26, seconded by Mr. Berry, VOTED 5-0-0

9-15 **Fluoride Ballot Question**

Mrs. Mackenzie would want to hear from the Board of Health. If we do entertain it, it should be co-written with the BOH there can be ramifications. There is a lot more to it than just fluoride. The Board would like to hear from health professionals. Mr. Snuffer stated we have used in the past take a survey when the census goes out, that can be greater. I do not know how we can stand up on Town Meeting floor and speak scientifically to this. Mr. Berry feels it would require public education. How did this come up in the first place? Mr. Boynton sending a letter to S&W and BOH advising that the issue has been presented and given significant public health that the BOS request each board to present factual information pro and con to review and have that presented no later than Dec 31. Mr. Berry felt if this is from one member he does not think that would warrant a lot of energy at this point. We are looking for input.

Mr. Snuffer feels the effects of fluoridation, it is some good some bad. I do not think it is a cost saving thing.

Mr. Timson in short term to get a list of cities and towns that put fluoride. Mrs. Mackenzie believes there is a fact sheet from the dept of public health. Ask Robin for an update.

9-16 **Extending Sewer Rt1A and side streets**

The Board is in receipt of a second letter from Sewer and Water regarding the inquiry to homeowners and businesses along Main Street to install sewer. The genesis of this one was the sub group. The initial conversation to generate growth in the industrial park. It would provide options to residents Rt1A, Hitching Post and Clarkson Drive. Before we determine what route we want to go, that as if they would be interested. They have 63

residents with no response to the survey. I think it was great to reach out. Good next step.

Mr. Snuffer does not know if it is a policy, but he believes the S&W are going to run sewer systems. I think they come up with 75% favorable response. Mr. Snuffer feels there is unintended consequences of running the sewer in that area. Talked about the new building at the Allied. The Board would like to meet with Sewer and Water after Town Meeting. Study of re- routing the ground water near the DPW yard.

9-17 **FTM Warrant**

Mr. Boynton updated the Board on the changes that were made to the FTM Warrant. Before you is the warrant as reviewed by Town Counsel. Mr. Snuffer noted there are there three articles related to Walpole Park South. Mrs. Mackenzie noted, so if we don't accept the pump station we have to extend it into another public way.

Mr. Snuffer noted one of the opinions by T. Counsel was that the original motion was not to accept or approve but to recommend to a future Town Meeting to accept. The BOS can vote to take it. The S&W can vote to take it. Town Meeting vote is not binding. What does it mean if we vote Favorable Action? If you do believe you wish to exert that authority than your option is appropriate.

MOTION moved by Mr. Berry to sign the FTM Warrant, seconded by Mr. Snuffer, VOTED 5-0-0

TA Update

Elm St Paving-starts tomorrow, detours in place

FY14 budget update-figures have been sent to DOR. There are some procedural issues they would like to see differently. What is not in the mix is prison mitigation. Aside from \$360,000 for Turners dam he is not proposing any capital for the Fall T. Meeting. Put \$100,000 into OPEB. I would put \$250,000 into stabilization. Nothing more spent in free cash in the spring than we did this past year. As you are looking at facility needs, a portion of the free cash can be utilized to offset design. Prioritize where you want to go.

Mr. Timson noted the Town of Sharon bond rating down graded because of lack of stabilization Mr. Boynton talked about putting \$75,000 in the debt budget off the \$360,000.

The Police Chief has stated he needs additional officers. He wants to go back to 41 officers. The library wants an additional staff.

Senior Health-Change coming for retirees, how they get their prescription drugs, we will save substantial funds. Mrs. Mackenzie asked if it changes the prescription they get. Mr. Boynton we will have a health fair and asked the carriers and to have a video that can be accessed from the web. This is the folks that are retired. The biggest issue is your card is going to change.

Old Business

Mr. Snuffer noted the Board received a letter from the Town of Dover. For those communities that have representatives other than we have. Mr. Timson we can send our delegates copies of the letters we received and send the towns that sent us comments a copy of the letters.

TA report contd.

Superfund status-Meeting tomorrow with responsible parties. Asked Attorney Giorgio to work with Attorney General office on Covenant not to sue. EPA and DEP they will work with responsible parties.

Sunnyrock 61A Request-As that you put on the Next Agenda.

Request for information-frustrated with the attitude of a line of questions put to me, questioning my integrity. Ongoing discussion how it relates to Insurance Advisory, the Health insurance is the responsibility of the BOS. Since 2002 we have been a group of W. Suburban Health group. Questions about the Group. Tom Driscoll and Mr. Obar have had several questions.

Mrs. Mackenzie noted if anyone is requesting information that is part of a committee. The Board can put in the request. I think we have an avenue to get the information. We are coming into budget time.

Mr. Gallivan agreed and stated we are the policy setting board and important for those that work for us to not spend time on some of these things. Mr. Boynton stated when the first request came in he said no. But would be happy to meet with the Chair and have a face to face. He thinks it is important for folks to know that the world according to one. He gets no compensation from the w suburban health group. The Board members agreed that there is an avenue a resident can use to ask these questions of this Board and that is Open Forum. Mr. Boynton works under their direction. Mr. Snuffer noted that Mr. Boynton has an open door policy. You bring things to a conclusion, to express an invitation that the Chair is willing to sit, once you extend that invitation, degree of acceptability, if you don't get it, you don't continue the emails. No secrets in this town.

Mr. Boynton stated we are successful because of our team here. He is not going to allow the business of the town be smeared for personal gain. He is honored to be here and this has been bothering him.

Old Business/New Business

Mr. Berry talked about a workshop for goals and Town owned parcels. I see it as a worthy exercise to get some town owned land off the coffers.

Mr. Gallivan announced they do have a budget working group Nancy and Chris have agreed to represent the Board.

Executive Session

The Chairman read the following declaration:

I hereby declare that:

- Under G.L. c.30A, §21(a)(6) the purpose of the executive session will be
- to discuss the purchase, exchange, or value of real estate, and that I determine that discussing the matter at an open meeting may have a detrimental effect on the town's position.
- That the Board of Selectmen shall return to open session only for the purposes of adjourning.

MOTION moved by Mr. Gallivan that the Board go into executive session at 10:05 p.m., under G.L. c. 30A, Section 21 (a)(6) for the purposes and reasons declared by the Board's Chairman, with the Board returning to open session at the conclusion of the executive session for the purposes of adjourning , seconded by Mr. Berry, ROLL CALL VOTE: Mr. Timson-Aye, Mrs. Mackenzie-Aye, Mr. Berry-Aye, Mr. Snuffer-Aye and Mr. Gallivan-Aye

The Board moved out of Executive Session.

MOTION moved by Mr. Timson to adjourn at 10:35 p.m., seconded by Mr. Berry, VOTED 5-0-0